

Maurice Hinchey NEWS

22nd CONGRESSIONAL DISTRICT, NEW YORK

FOR IMMEDIATE RELEASE

July 15, 2003

HINCHEY AGAIN WRITES TO DEC ABOUT ENDICOTT SITE

WASHINGTON - U.S. Representative Maurice Hinchey (NY-22) on Monday sent a second letter to New York State Department of Environmental Conservation (DEC) Commissioner Erin Crotty about the hazardous chemical spill at the former IBM facility in Endicott. Hinchey, who on Friday received a response to his May 26 letter to Crotty, urged the commissioner to make the site a higher priority and to provide the public with much more information about the contamination.

The text of Hinchey's letter follows.

July 14, 2003

The Honorable Erin M. Crotty
Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1011

Re: IBM Corporation-Endicott Facility site # 704014

Dear Commissioner Crotty:

I am writing again to encourage a sense of urgency within your agency regarding the immediate environmental health threats facing residents in the Village of Endicott, New York. As I review the facts surrounding this crisis and hear the concerns of my constituents, I am troubled by what remains unknown and by the amount of information being withheld from the public. I also remain convinced that this site must be reclassified to properly reflect its character and the threat it poses to the Endicott community.

Endicott residents are disturbed by the lack of accurate, reliable information on the size and character of the hazardous chemical plume moving in the groundwater beneath the Village of Endicott and the vapor migration of these same chemicals. Those wishing to better understand the details of this spill quickly realize that precious little useful information is available to the public, a problem that compounds the community's growing anxieties. The public needs to be fully informed about the dangers they face and they need to be involved in the process of determining what constitutes appropriate remedial actions. The public also needs to be involved in deciding sampling sites, a matter critical to establishing credibility in this entire process. Clearly, the lack of such involvement to date has contributed to the high level of suspicion, fear, and anger village residents have towards IBM, DEC, and other regulatory agencies. It is this basic disconnect that has led many Endicott residents to pursue legal representation as this contamination increasingly threatens their health, property, and livelihood.

I want to emphasize that it does not have to be this way and that your agency has the capacity to provide the public with much of the information it seeks, in a manner that is easily understood by concerned and aggrieved parties.

Accurate maps are needed that show what is known about the size and shape of the groundwater contamination plume. These maps should indicate where all sampling -- groundwater or vapor -- has occurred and where hazardous chemicals have been found at whatever detectable levels. These maps should also indicate the events that are suspected or known to have contributed to the hazardous plume. And the maps should show where venting systems are installed or designated for installation. This is what the public demands and I see no reason why this information is being withheld. If DEC does not possess this information at this time, then it should obtain it from IBM. If IBM is not forthcoming, then DEC should conduct additional sampling and make the results known to the public.

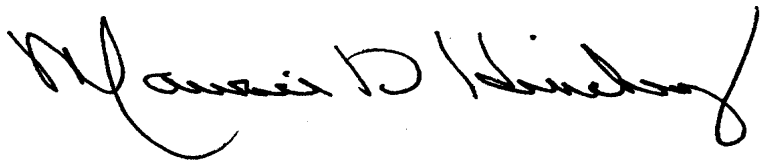
While I appreciate your response to my May 26 correspondence, I take issue with your justification for misclassifying this site as Class 4 on the Registry of Inactive Hazardous Waste Disposal Sites in New York State. Groundwater contaminants are entering the village's wells, permeating village structures as vapors, and seeping into the Susquehanna River. If this fits the definition of a "properly closed site that requires continued management" (Registry of Inactive Hazardous Waste Disposal Sites in New York, Volume 7, April 2002, Appendix G), then things have surely changed since I served in the State Assembly and helped create this program. While "actually solving the problem" is undoubtedly the most important goal, the consistent application of NYS law and regulations is essential to the credibility of this effort -- a point not lost on many local officials and residents. Additionally, the correct classification of this site is essential to ensuring that appropriate attention and oversight is given by state and federal agencies.

The one hundred and fifteen vapor ventilation systems that have been installed so far in village structures are likely doing no harm, but I am reluctant to embrace these devices as foolproof measures capable of "removing the potential for a significant threat." These systems are stop gap measures, limited by their need for maintenance, vulnerability to power outages, effectiveness in removing vapors, operating costs, and longevity. The installation of these systems should in no way figure into the justification for keeping this site classified as Class 4. Again, I urge your agency to classify this site properly as Class 2.

I look forward to working with DEC and other state and federal agencies to address the problems confronting residents in the Village of Endicott. This is a complex problem that mandates a coordinated, comprehensive and much more vigorous response from government and responsible parties in the private sector than it has heretofore received. We must also address and integrate the peoples' concerns as well as their firsthand information and knowledge at every step in this process.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurice D. Hinchey". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Maurice D. Hinchey

MDH:dll

cc: The Honorable Thomas Libous, New York State Senate
The Honorable Jack Cheevers, Supervisor, Town of Union
The Honorable Micheal Colella, Mayor, Village of Endicott